

Appln. No. 09/840,193  
Amendment dated October 3, 2007  
Reply to Office Action of August 23, 2007

**REMARKS/ARGUMENTS**

Reconsideration of the present application, as amended, is respectfully requested.

The August 23, 2007 Final Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled and amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 is respectfully requested.

**REJECTION UNDER 35 USC 112**

In the Office Action claim 33 is rejected under the second paragraph of 35 USC 112. In response, claim 33 is amended in a sincere effort to overcome the indefiniteness rejection. Applicant respectfully directs the Examiner to page 96, line 18 - page 97, line 8 of the application as originally filed, which describes that in the image processing means 90, an original

**RECEIVED  
CENTRAL FAX CENTER****OCT 03 2007**

Appln. No. 09/840,193  
Amendment dated October 3, 2007  
Reply to Office Action of August 23, 2007

image sent from the radiation image forming means 10 is subjected to image processing under the image processing conditions.

In view of the amendment of claim 33, reconsideration and withdrawal of the rejection of claim 33 under the second paragraph of 35 USC 112 are respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claim 35 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims is acknowledged and appreciated.

PRIOR ART REJECTIONS

In the Office Action claims 2-5, 8, 33, 34 and 36 are rejected under 35 USC 103 as being unpatentable over USP 6,335,980 (Armato, III et al.) in view of USP 6,714,623 (Sako et al.). Claims 6 and 7 are rejected under 35 USC 103 as being unpatentable over Armato, III et al. in view of Sako et al., and further in view of USP 6,493,458 (Yasui et al.). Claim 9 is rejected under 35 USC 103 as being unpatentable over Armato, III et al., and further in view of USP 6,594,380 (Shinbata).

Appln. No. 09/840,193  
Amendment dated October 3, 2007  
Reply to Office Action of August 23, 2007

In response, claim 35 is cancelled and limitations from claim 35 are incorporated into claim 33 to place claim 33 in condition for allowance.

Claims 2-9, 34 and 36 are either directly or indirectly dependent on claim 33 and are patentable over the cited references in view of their dependence on claim 33, and because the references do not disclose, teach or suggest each of the limitations set forth in the dependent claims.

In view of all of the foregoing, claims 2-9, 33, 34 and 36 are in form for immediate allowance, which action is earnestly solicited.

\* \* \* \* \*


Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Appln. No. 09/840,193  
Amendment dated October 3, 2007  
Reply to Office Action of August 23, 2007

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

  
Robert P. Michal  
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.  
220 Fifth Avenue  
New York, New York 10001-7708  
Tel. (212) 319-4900  
Fax (212) 319-5101  
RPM/ms